

**CALIFORNIA COASTAL COMMISSION**

NORTH CENTRAL COAST DISTRICT  
45 FREMONT, SUITE 2000  
SAN FRANCISCO, CA 94105-2219  
VOICE AND TDD (415) 904-5260  
FAX (415) 904-5400

**Th – 5d**

Filed:	Sept. 7, 2000
49 <sup>th</sup> Day:	Oct. 26, 2000
Staff:	JAS-SF
Staff Report:	Sept. 21, 2000
Hearing Date:	Oct. 11, 2000
Commission Action:	

**STAFF REPORT: APPEAL****SUBSTANTIAL ISSUE DETERMINATION**

<b>APPEAL NO.:</b>	<b>A-2-SMC-00-031</b>
<b>APPLICANT:</b>	<b>Corrado Federico, Corado, Inc.</b>
<b>LOCAL GOVERNMENT:</b>	<b>San Mateo County</b>
<b>LOCAL DECISION:</b>	Approval with Conditions
<b>PROJECT LOCATION:</b>	1181 Etheldore Street, Moss Beach, San Mateo County, APN 037-320-2790
<b>PROJECT DESCRIPTION:</b>	Subdivision of a 12.5-acre parcel into 59 lots and construction of 73 affordable senior apartments, 55 single- family houses, recreation building, children's play area, and infrastructure improvements. The development is known as Moss Beach Highlands.
<b>APPELLANTS:</b>	Commissioner Christina Desser, Commissioner Paula Daniels, Gary Kind, Chuck Kozak, Rocco T. Manicinelli, Paul Perkovic, Lyn Rothschild, Kathryn Slater-Carter
<b>SUBSTANTIVE FILE DOCUMENTS:</b>	San Mateo County PLN 1999-00452 (Moss Beach Highlands); San Mateo County Local Coastal Program
<b>STAFF RECOMMENDATION:</b>	Open and Continue

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## **STAFF RECOMMENDATION ON SUBSTANTIAL ISSUE**

The staff recommends that the Commission OPEN AND CONTINUE the public hearing to determine whether substantial issue exists with respect to the grounds on which the appeal has been filed for the following reasons:

Pursuant to Section 30621 of the Coastal Act, an appeal hearing must be set within 49 days from the date an appeal of a locally issued coastal development permit is filed. The appeal on the above-described decision was filed on September 7, 2000. The 49<sup>th</sup> day falls on October 26, 2000. The only meeting within the 49-day period is October 10-13, 2000. In accordance with the California Code of Regulations, on September 8, 2000, staff requested all relevant documents and materials regarding the subject permit from the County, to enable staff to analyze the appeal and prepare a recommendation as to whether a substantial issue exists. The regulations provide that a local government has five working days from receipt of such a request from the Commission to provide the relevant documents and materials. The County permit file information had not been received as of the day of the mailing of staff reports to the Commission and interested parties on items on the Commission's October meeting agenda. Therefore, the requested information was not received in time for the staff to review the information for completeness or prepare a recommendation on the substantial issue question. Consistent with Section 12112 of the California Code of Regulations, since the Commission did not receive the requested documents and materials, the Commission must open and continue the hearing open until all relevant materials are received from the local government.